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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 22, 2001

APPLICATION OF

TELIGENT SERVICES, INC.

CASE NO. PUC010112

For approval to discontinue
local exchange service in
the Richmond Standard
Metropolitan Statistical Area

ORDER GRANTING MOTION FOR EMERGENCY
RELIEF AND PETITION FOR RECONSIDERATION

On May 2, 2001, Teligent Services, Inc. ("Teligent" or "Company"), filed an application with the State Corporation Commission ("Commission") seeking permission to discontinue provision of local exchange service in the Richmond Standard Metropolitan Statistical Area ("SMSA"), effective May 31, 2001. Pursuant to the Commission's Order of May 15, 2001, in this case, the proposed effective date for discontinuance of local exchange service in the Richmond SMSA was suspended to allow further notice to Teligent's customers and an opportunity for comments or requests for hearing to be filed.

On May 22, 2001, Teligent filed its Motion for Emergency Relief and Petition for Reconsideration ("Motion and Petition for Reconsideration"). Teligent requests that it be relieved of the duty imposed by our Order of May 15, 2001, to deliver a copy of the Order to each affected customer by May 22, 2001.

Teligent explains this request by advising the Commission of its inability to provide service beyond May 31, 2001, and that delivering our Order suspending the discontinuance date would cause further confusion.

Teligent provides a greater explanation of its network and facilities supporting its local exchange service in the Richmond SMSA than previously given in its application filed May 2, 2001. It is now disclosed that the affected customers are served through a host switch in Washington, D.C. The facilities-based traffic is routed to the host switch through high-capacity backhaul facilities provided by other carriers. These backhaul facilities will no longer be provided to Teligent after May 31, 2001, thus rendering Teligent unable to provide local exchange services to the Richmond SMSA after that date. Teligent reports that the essential backhaul circuits will not be provided after May 31, 2001, due to Teligent's inability to pay its carriers. Teligent filed on May 21, 2001, a voluntary petition for protection under Chapter 11 of the United States Bankruptcy Code.

Teligent explored migrating its Richmond SMSA customers¹ to a resold incumbent local exchange carrier product offering but

¹ Teligent reports that four of its 25 customers have now submitted requests to change their local exchange service provider and several others are expected to do so within the next week or so. Motion and Petition for Reconsideration at pp. 4-5.

was unable to obtain inside wire maintenance from the incumbent carrier. Therefore, Teligent does not consider this a satisfactory alternative.

In support of its Motion and Petition for Reconsideration, Teligent states that "it will contact each customer that has not submitted a request for a change in local service provider by the end of this week. . . [and] Teligent is willing to contact alternative local service providers should the Commission request it to do so, and share non-proprietary customer information with those carriers so that they may market services to the affected customers."²

NOW THE COMMISSION, having considered the Motion and Petition for Reconsideration, is of the opinion that Teligent is unable to continue providing local exchange services to its Richmond SMSA customers beyond May 31, 2001, as previously ordered. Based upon Teligent's commitment to contact its affected customers this week and to work with other local exchange carriers to transition its customers without interruption of service, the Commission finds that its Motion and Petition for Reconsideration should be granted. The Commission further finds that a copy of this Order should be sent to all certificated local exchange carriers to alert them

² Motion and Petition for Reconsideration p. 5.

to the possibility of serving Teligent's affected customers in the Richmond SMSA.

Accordingly, IT IS ORDERED THAT:

(1) Teligent's Motion and Petition for Reconsideration is hereby granted. The proposed date for discontinuance of May 31, 2001, is hereby approved for Teligent's remaining Richmond SMSA customers.

(2) Teligent is directed to contact its affected Richmond SMSA customers by May 25, 2001, and to assist its customers in obtaining an alternative provider of local exchange service. Such assistance by Teligent shall include contacting other certificated local exchange carriers that may be willing to provide uninterrupted local exchange services.

(3) Teligent shall report to the Division of Communications on the status of each of its remaining Richmond SMSA customers by May 30, 2001.

(4) This case is continued generally.